

**LOCAL LAW INTRODUCTORY No. 3 OF 2014
VILLAGE OF TUXEDO PARK, NEW YORK**

**A LOCAL LAW AMENDING THE VILLAGE CODE TO RESTRICT ACCESS
THROUGH THE SOUTH GATE TO OWNERS, RESIDENTS AND TAGGED
VEHICLES ONLY**

BE IT ENACTED by the Village Board of the Village of Tuxedo Park, Orange County, New York as follows:

SECTION 1: PURPOSE.

The purpose of this local law is to amend Chapter 100 ("Zoning") of the Code of the Village of Tuxedo Park to restrict access to the Village from the South Gate to owners, residents and tagged vehicles only, while permitting nonresident non-tagged vehicles to access the Village through the Main Gate, for the purpose of efficiency of access to the Village for Village owners, residents and tagged vehicles, thereby promoting the public health, comfort, convenience, safety and welfare of the Village and its residents.

SECTION 2; CHAPTER 100 ("ZONING").

Section 100-22 is hereby amended by adding the following after the first sentence:

The Main Gate entrance to the Village, adjacent to New York State Route 17, shall be the only point of ingress to and egress from the Village for all those owners of land within and residents of the Village, and persons lawfully having business with or invited therein by any such owner or resident of the Village. Ingress to the Village through the South Gate shall be restricted to property owners and residents of the Village and those others having a current and valid Tuxedo Park identification tag affixed or displayed in accordance with Chapter 25 of the Village Code.

SECTION 3: CHAPTER 25 ("ACCESS TO VILLAGE").

Section 25-3 is hereby repealed and the following language substituted in its place:

- A. Identification tags are to be permanently affixed to the front bumper or by bracket to the front license plate. Upon sale of the vehicle or cessation of residency or eligibility, all identification tags issued for such vehicles must be removed and destroyed and the Police Department notified.
- B. Excepted from the requirement of Subdivision (A) of this Section are temporary identification tags issued for the vehicles of individuals who are authorized by the Chief of Police, Mayor or Board of Trustees as authorized by Section 25-2(A)(4) to have access to the Village on a temporary basis. Temporary identification tags are to be displayed as noted by such tags in such a manner so that the tag is clearly visible through the windshield of the vehicle. Temporary identification tags are nontransferable and shall only be displayed in the vehicles for which the tag is issued. Upon expiration, sale of the vehicle or cessation of eligibility, all temporary identification tags issued for such vehicles must be removed and returned to the Village Clerk or Village employees at the Main Gate.

SECTION 4: SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law, or otherwise appear to be in conflict with this Local Law, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 5: SEVERABILITY.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 6: EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.

PROPOSED LOCAL LAW RE RESTRICTING SOUTH GATE ACCESS

VILLAGE CODE SECTION 100-22 TRACKED MODIFICATIONS TO EXISTING LAW (deleted text noted by strikethrough; added text noted by underscore):

Except by approval of the Board of Trustees, the existing Main Gate and South Gate shall be the only points of access and egress for the Village. The Main Gate entrance to the Village, adjacent to New York State Route 17, shall be the only point of ingress to and egress from the Village for all those owners of land within and residents of the Village, and persons lawfully having business with or invited therein by any such owner or resident of the Village. Ingress to the Village through the South Gate shall be restricted to property owners and residents of the Village and those others having a current and valid Tuxedo Park identification tag affixed or displayed in accordance with Chapter 25 of the Village Code.

No driveways or road extensions shall be permitted to abut or traverse any Village boundary. The Board of Trustees reserves the right to restrict ingress or egress at any point along a Village roadway. However, under emergency conditions, the Mayor may approve the temporary opening of a gate, trail or fire road when deemed essential to the safety and welfare of the Village.

VILLAGE CODE SECTION 25-3 TRACKED MODIFICATIONS TO EXISTING LAW (deleted text noted by strikethrough; added text noted by underscore):

- A. Identification ~~Tags~~ are to be permanently affixed to the front bumper or by bracket to the front license plate. Upon sale of the vehicle or cessation of residency or eligibility, all identification tags must be removed and destroyed and the Police Department notified.
- B. Excepted from the requirement of Subdivision (A) of this Section are temporary identification tags issued for the vehicles of individuals who are authorized by the Chief of Police, Mayor or Board of Trustees as authorized by Section 25-2(A)(4) to have access to the Village on a temporary basis. Temporary identification tags are to be displayed as noted by such tags in such a manner so that the tag is clearly visible through the windshield of the vehicle. Temporary identification tags are nontransferable and shall only be displayed in the vehicles for which the tag is issued. Upon expiration, sale of the vehicle or cessation of eligibility, all temporary identification tags issued for such vehicles must be removed and returned to the Village Clerk or Village employees at the Main Gate.